1 Matthew Franklin Jaksa (CA State Bar No. 248072) HOLME ROBERTS & OWEN LLP 2 560 Mission Street, 25th Floor San Francisco, CA 94105-2994 3 Telephone: (415) 268-2000 4 Facsimile: (415) 268-1999 Email: matt.jaksa@hro.com 5 Attorneys for Plaintiffs, RICHARD W. WIEKING 6 CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA INTERSCOPE RECORDS; MOTOWN RECORD 7 COMPANY, L.P.; BMG MUSIC; FONOVISA. INC.; SONY BMG MUSIC ENTERTAINMENT; 8 and LAFACE RECORDS LLC 9 10 UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA 11 12 13 INTERSCOPE RECORDS, a California general CASE NO. partnership; MOTOWN RECORD COMPANY. 14 [PROPOSED] ORDER GRANTING EX L.P., a California limited partnership; BMG **PARTE APPLICATION FOR LEAVE TO** MUSIC, a New York general partnership; 15 FONOVISA, INC., a California corporation: TAKE IMMEDIATE DISCOVERY 16 SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; and LAFACE 17 RECORDS LLC, a Delaware limited liability company, 18 Plaintiffs. 19 v. 20 JOHN DOE, 21 Defendant. 22 23 24 25 26 27 28

Proposed Order Case No. #34047 v1 Upon the Plaintiffs' *Ex Parte* Application for Leave to Take Immediate Discovery, the Declaration of Carlos Linares, and the accompanying Memorandum of Law, it is hereby:

ORDERED that Plaintiffs may serve immediate discovery on University of California, Berkeley to obtain the identity of Defendant John Doe by serving a Rule 45 subpoena that seeks documents that identify Defendant John Doe, including the name, current (and permanent) address and telephone number, e-mail address, and Media Access Control addresses for Defendant. The disclosure of this information is ordered pursuant to 20 U.S.C. § 1232g(b)(2)(B).

IT IS FURTHER ORDERED THAT any information disclosed to Plaintiffs in response to the Rule 45 subpoena may be used by Plaintiffs solely for the purpose of protecting Plaintiffs' rights under the Copyright Act.

Dated: January 18, 2008



Proposed Order Case No. .